

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

P.S. - Commercial Tax Department - Allegation against Sri ISP Kumar, former MRO, Munagapaka (M), Visakhapatnam District of receiving illegal gratification through his proxy i.e. Sri B.Vijaya Babu, formerly Attender O/o.the Deputy Commissioner, Division.II, Commercial Taxes Department, Vijayawada - Permission accorded to prosecute the Accused Officer - Charge sheet filed - Convicted - Dismissal from service - Imposed - Orders - Issued.

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REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Ms.No. 209

Dated: 04-05-2013

Read the following:-

- 1)From DG, ACB Letter No.16/RCT-WVP/2004, S11, dt. 28-7-2011.
- 2)G.O.Ms.No.1768, Revenue (Vig.II) Dept. dt. 13-10-2011
- 3)From CCT's Ref.No.Vig(4)/495/2006, dt.8-4-2013.

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ORDER:

Whereas , it has been brought to the notice of the Government that Sri I.S.P. Kumar, formerly Mandal Revenue Officer, Mungapaka Mandal, Visakhapatnam Dist. and another were trapped by the ACB officials on 8-11-2004 when they demanded and accepted illegal gratification from the complainant Sri Appaikonda Ramana, S/o.Ramulu, Nagavaram (V) for registration of 5 cents each of land of the complainant worth about Rs.5.00 lakhs in favour of their proxies viz., Sri B.Vijayababu and Sri Ch.Demdu(05 cents to each), for doing official favour in issuing Patadar Pss Books in favour of the father and mother of the complainant for about 20 acres of land inherited and owned by them and under their cultivation. After conducting enquiry, the Director General, Anti-Corruption Bureau has furnished final report through the reference 1st read above. After examining the matter, Government have decided to prosecute the Accused Officer Sri B.Vijaya Babu, Attender, O/o. the Deputy Commissioner, Division.II, Commercial Taxes Department, Vijayawada in a court of law for the offences punishable under section 7, 11, 13(2) r/w 13(1) (d) and 15 of PC Act, 1988 r/w. Section 34 and 120 B of IPC. Accordingly, Government have accorded sanction to prosecute the Accused Officer Sri B.Vijaya Babu, Attender, O/o. the Deputy Commissioner, Division.II, Commercial Taxes Department, Vijayawada in a court of law vide reference 2nd read above.

2. The Special Judge for Anti-Corruption Bureau Cases, Visakhapatnam pronounced judgment on 8-7-2011 in CC No.24/2006, wherein the Accused Officer Sri B.Vijaya Babu, Attender O/o. the Deputy Commissioner, Division.II, Commercial Taxes Department, Vijayawada was convicted and sentenced to undergo Simple Imprisonment for a period of one year for the offence punishable under section 11 of the Prevention of Corruption Act, 1988 and also to pay a fine of Rs.3000/- in default of payment of fine to suffer Simple Imprisonment for a period of six months. He is also further sentenced to undergo simple imprisonment for a period of six months for the offences punishable under section 120-B of IPC. Both the sentences were ordered to run concurrently.

3. After careful examining the entire matter keeping in view of the conviction in CC No.24/2006 and also the retirement of the Accused Officer Sri B.Vijayababu, Attender on 31-8-2010 on attaining the age of superannuation as reported by the Director General, Anti-Corruption Bureau in the reference 1st read above, Govt. have imposed punishment of withholding entire pension and gratuity permanently on Sri Baluguri Vijaya Babu, Attender O/o. the Deputy Commissioner, Division.II, Commercial Tax Dept., Vijayawada in the reference 2nd read above.

4. In the reference 3rd read above, the Commissioner of Commercial Taxes has submitted a report to Government that the Accused Officer Sri B.Vijaya Babu, Attender is still in service as Office Subordinate in the O/o. Deputy Commissioner of Commercial Tax Department, Vijayawada and his superannuation would be on 31-3-2035 and requested the Government to pass appropriate orders and also issue further instructions in the matter.

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5. And whereas, the Government after careful consideration of the facts and circumstances of the case keeping in view of the report submitted by the Commissioner Commercial Tax, Hyderabad, have decided that the penalty of dismissal from Government service shall be imposed on Sri B.Vijaya Babu, Attender O/o.the Deputy Commissioner., Division.II, Commercial Tax Department., Vijayawada duly canceling the orders issued in the reference 2nd cited.

6. And whereas, it is considered that the conduct of the said Sri B.Vijaya Babu, Attender, Commercial Tax Department which has led to his conviction, is such as to render his further retention in the public service undesirable.

7. Now, therefore, in exercise of the powers conferred under clause (x) of rule 9 read with sub-rule (1) of rule 25 of the A.P. Civil Services (CCA) Rules, 1991 and read with G.O.Ms.No.2, General Administration (Services.C) Department, dt.4-1-1999, Government hereby dismiss Sri B.Vijaya Babu, Attender, O/o. the Deputy Commissioner, Division.II, Commercial Tax Dept., Vijayawada from Govt. service with immediate effect.

8. The Commissioner Commercial Tax, Hyderabad shall take necessary further action in the matter accordingly.

9. The following Notification shall be published in the extraordinary issue of the A.P.Gazette:

NOTIFICATION

In exercise of the powers conferred under clause (x) of rule 9 read with sub-rule (1) of rule 25 of the A.P. Civil Services (CCA) Rules, 1991 and read with G.O.Ms.No.2, General Administration (Services.C) Department, dt. 4-1-1999, the Government hereby dismiss Sri B.Vijaya Babu, Attender, O/o. the Deputy Commissioner, Division.II, Commercial Tax Department, Vijayawada from Government service with immediate effect.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.G. GOPAL
PRINCIPAL SECRETARY TO GOVERNMENT

To

The B.Vijaya Babu, Attender
O/o.the Deputy Commissioner, Division.II,
Commercial Tax Department, Vijayawada
through CCT, Hyderabad.

The Commissioner, Commercial Tax, A.P., Hyderabad
(with a request to serve the G.O. on the individual and send the
served copy with dated signature to Government for record)

Copy to:

The Director General, Anti-Corruption Bureau, Hyderabad.

The Secretary to Vigilance Commission.,
A.P. Vigilance Commission, Hyderabad.

The Commissioner of Printing, Stationery,
Store Purchase, Chanchalguda Hyderabad

(with a request to publish the notification in the
Extra- Ordinary Gazette and furnish copies of the same to Government)

Sc/sf.

//FORWARDED BY ORDER//

SECTION OFFICER